

Notice of Allowability

Application No.

10/779,310

Examiner

Debra Wolfe

Applicant(s)

GASCOIN, ERIC

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed March 1, 2006.
2. ☒ The allowed claim(s) is/are 1 and 3-11.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


DENNIS H. BANKS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700



NOTICE OF ALLOWABILITY

Reasons for Allowance

The following is an examiner's statement of reasons for allowance.

1. It is the opinion of the examiner that the art of record (considered as a whole) neither anticipates nor renders obvious "a tool-retaining member comprising a plurality of blades, each blade comprising a first elastically-deformable branch secured in part to the clamp, a second elastically-deformable branch directed upwards and having an end suitable for penetrating into the retaining groove and a portion suitable for operating with the bottom edge of the retaining groove when the tool pivots and at least one angled portion located between the first and second elastically-deformable branches, wherein when said clamp is brought into said tool-dismounting second position, said end of the second branch remains engaged in said retaining groove and when said clamp is in the tool-dismounting second position, the assembly constituted by the two branches is suitable for deforming under the effect of the pivoting of the tool so that the end of the second branch becomes disengaged from said retaining groove" in combination with the rest of the claimed limitations set forth in independent claim 1.

Further searching by the examiner yielded additional prior art as follows:

2. Gasparini discloses a system with a safety tool for supporting and holding at least one interchangeable tool on a press-bending machine, the system comprising of a clamping body (2), a pivotally mounted tool clamp (4) and a safety hook (6) having a main tooth (62) for hooking the punch (1) and a small tooth (66) for securing the safety hook (6) to the tool clamp (4).

Van der Meulen (U.S. Patent # 5,022,256) discloses a clamping device (2) comprising a pivotable clamping jaw (4) having mounted thereto a resilient strip (6), which is provided with a



flexible plastic strip (8) and a locking projection (9) with a sloping rise surface (10) thereby preventing the tool (11) from falling out clamping device (2).

3. The above cited prior art fails to disclose the use of a plurality of elastically deformable blades wherein each blade has a first and second elastically-deformable branch and at least one angled portion located between the first and second branches and wherein when said clamp is brought into said tool-dismounting second position, said end of the second branch remains engaged in said retaining groove and when said clamp is in the tool-dismounting second position, the assembly constituted by the two branches is suitable for deforming under the effect of the pivoting of the tool so that the end of the second branch becomes disengaged from said retaining groove. Therefore, it is concluded that claim 1 of the present invention is allowable subject matter over the prior art. Claims 1-11 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra Wolfe whose telephone number is (571) 272-1904. The examiner can normally be reached Monday - Thursday 6am - 3:30pm with alternating Friday 6am - 2:30pm.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached at (571) 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Debra Wolfe
Examiner
Art Unit 3725

A handwritten signature in black ink, appearing to read "Derris H. Banks", is written over a horizontal line.

DERRIS H. BANKS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700